



**THE TOWN OF PEMBROKE
PLANNING BOARD
1145 Main Rd., Pembroke, NY 14036
Minutes for the regular meeting held on September 27, 2017**

ATTENDANCE:

- Jim Uebelhoer —Chairman
- David Knupfer—Vice Chairman
- Richard Kutter
- Greg Kuras
- Cheyanne Seelau
- Linda Rindell—Alternate
Diane Denton—Acting Recording Secretary

PUBLIC PRESENT: Yes

MEETING called to order at 7:30pm.
Chairman Uebelhoer led the “Pledge of Allegiance”.

For the record: Alternate Linda Rindell sat in for Mike Bakos who was absent

MOTION TO APPROVE the Minutes from July 26, 2017 made by Mr. Kuras; Second to motion was made by Mr. Knupfer.

Voice Vote: ALL AYES—MOTION CARRIED.

Public Hearing
Michael and Allison Czwojdak
Special Use Permit/Pond
953 Gabbey Rd., Town of Pembroke
Tax Map#s 10.-1-51 and 10.-1-52
Zoning District: AG/RES
Required Referral to Genesee County

PUBLIC HEARING was opened at 7:31pm. The Notice of Public Hearing ran in the Batavia Daily News September 14, 2017, was posted on the Town’s Bulletin Board, and letters were sent to adjoining property owners within 500 feet.

- The Czwojdaks would like to put in a ¾ acre pond. All the paperwork has been filed with County to merge TM#s 10.-1-51 and 10.-1-52.
- County recommended approval as follows: given the site plan provided does not show proposed setbacks from property lines, the required modification is that the applicant obtain area variances or comply with the Town’s zoning regulations. With this required modification, the proposed pond should pose no significant county-wide or inter-community impact.
- With the merger of the two properties, the pond will be 120 ft. from one property line and way over 100 ft. from the other, so it will meet Zoning requirements.

- The Czwojdaks plan on doing a 40' x 40' hole this year to make sure it holds water, before digging the full size pond next year.

Public Present: Yes

Motion to Close the Public Hearing @ 7:40pm made by Ms. Rindell and seconded by Mr. Knupfer.

Voice Vote:

ALL AYES-MOTION CARRIED

On **MOTION** made by Mr. Kutter and seconded by Mr. Uebelhoer to make a **negative Declaration on the SEQR short form.**

ROLL CALL VOTE: Ms. Rindell-Aye; Ms. Seelau-Aye; Mr. Kutter-Aye; Mr. Uebelhoer-Aye; Mr. Knupfer-Aye; Mr. Kuras-Aye

ALL AYES-MOTION CARRIED

On **MOTION** made by Mr. Kuras and seconded by Ms. Rindell **to approve the following resolution:**

WHERE AS, a Pond is allowed by Special Use Permit in the AG-R District under SECTION 402 B.17 of the Town of Pembroke Zoning Code,

WHERE AS, said pond conforms to the specifications listed in SECTION 515 of the Town Zoning Code,

WHERE AS, Genesee County Planning Department has recommended approval,

WHERE AS, the SEQR Application has shown no adverse environmental impacts,

WHERE AS, said pond is consistent with the character of the neighborhood.

NOW, THEREFORE, Be It Resolved, that the Planning Board of the Town of Pembroke, State of New York, hereby approves the Special Use Permit for a pond at 953 Gabbey Road, Corfu, NY 14036, subject to any stipulations listed below.

Stipulations:

Parcels TM#s 10.-1-51 and 10.-1-52 be merged

ROLL CALL VOTE: Ms. Seelau-Aye; Mr. Kutter-Aye; Mr. Uebelhoer-Aye; Mr. Knupfer-Aye; Mr. Kuras-Aye; Ms. Rindell-Aye;

ALL AYES-MOTION CARRIED

Preliminary
Deborah Kirkum
Special Use Permit and Site Plan Review
1711 Genesee St., Town of Pembroke

Tax Map# 24.-1-9.2
Zoning District: AG/RES
Requires Referral to Genesee County

- In the fall of 2015, after the Zoning was changed to allow kennels in an Agricultural District, Ms. Kirkum was granted a Special Use Permit to kennel up to 41 dogs at 2436 Beckwith Rd. Now she wants to move the kennel to 1711 Genesee St. where there are two pole barns with heated flooring.
- Because a Special Use Permit goes with the property it was approved for, the board needs to rescind the original permit and issue a new one and put further restrictions it might deem necessary. Zoning regulations allow kennels in Agricultural/Residential District on an arterial highway, which Genesee St. is.
- The application will go to County for next month and notices will go out to neighbors within 500 ft. for a Public Hearing at the Planning Board's October meeting.

Old Business: None

New Business:

- There is training in Batavia at the Quality Inn & Suites November 17th. If any board member is interested in attending, he/she needs to fill in registration form and return to Diane/Nicole. The Town Board has to approve before Nicole can send it in with fee payment.
- Tom and Jim will go through list of current Special Use Permits to clean up the ones that aren't active. Mr. Kutter suggested they visit the properties with the original Special Use Permits and their stipulations in hand. Jim asked for Diane to provide all Planning Board members with a copy of the Special Use Permit list for the next meeting.
- Ms. Rindell had questions about what was going on at the corner of Indian Falls Rd. and Rt. 5, TM# 17.-1-93. Joe Joyce got a permit to clean away the rubble from the old foundations. He was fined by the DEC after they came out to delineate wetlands and is required to replace a number of trees.
- Mr. Kutter wondered about the insurance car wrecks being brought to the back of Lou Visone's property on Rt. 5 under Thruway Bridge for the purpose of being inspected.
- Mr. Kuras brought up the problem of parking for the consignment shop as there was another car accident on the corner of Indian Falls Rd. and Rt. 5. The board discussed some possible solutions.

A MOTION to adjourn the meeting was made by Mr. Uebelhoer, and seconded by Mr. Kutter.
ALL AYES—MOTION CARRIED

Meeting Closed at 8:12pm.

Respectfully Submitted,
Diane M. Denton,
Acting Recording Secretary
Thomas Schneider Chairman

These minutes were approved by the Town of Pembroke Planning Board October 25, 2017